

AUG. 16. 2005 7:59PM

HON. JUANITA McDONALD 3105389672

NO. 2226 P. 2

JUANITA MILLENDER-McDONALD
37th District, California

2445 RAYBURN BUILDING
WASHINGTON, DC 20515-0537
(202) 225-7924
FAX (202) 225-7926

970 WEST 190TH STREET
EAST TOWER, SUITE 900
TORRANCE, CA 90502
(310) 538-1180
FAX (310) 538-0672

E-MAIL: JMilender.McDonald@mail.house.gov
www.house.gov/milender-mcdonald



Congress of the United States
House of Representatives
Washington, DC 20515-0537

COMMITTEE ON
HOUSE ADMINISTRATION
RANKING MEMBER

COMMITTEE ON
TRANSPORTATION AND
INFRASTRUCTURE
SUBCOMMITTEE ON
AVIATION
HIGHWAYS, TRANSIT
AND PIPELINES
COAST GUARD AND
MARITIME TRANSPORTATION

COMMITTEE ON
SMALL BUSINESS
RANKING MEMBER
SUBCOMMITTEE ON
FINANCE AND EXPORTS

2005 AUG 17 A 7:55
RECEIVED
COMMISSION
ON ELECTION
SYSTEMS
MIAIAT

August 15, 2005

Dear Chairman Thomas:

As a Member of Congress, I write to express my concerns about the draft advisory opinion to be considered by the Commission on Thursday, in connection with the request submitted by Congressman Berman and Congressman Doolittle.

Our jobs as Members require us to lead on issues of public concern, and to be fully active and involved in the debates that affect those whom we represent. From the vantage point of our constituents, it is not always enough to say that we can be active in some ways, and not in others. Especially when the issues are important, there must be a compelling reason for us to be less engaged. Simply showing up at an event, or lending one's name to an endorsement, is not enough. Our constituents expect all of our energies and capabilities to be directed toward their interests.

Congressman Berman and Congressman Doolittle have asked the Commission for permission to participate fully in a critical debate that will shape the future of their state. The draft response to their request would deny them the ability to do that. While others in the debate have secured themselves the right to participate on an unrestricted basis, the Congressmen would be unable to lend the full weight of their support to their side of the issues. One wonders how others might exploit similar disparities in power in other future situations.

It is not evident to me that there is a compelling reason for this outcome. Here, the requesting Congressmen do not seek to exploit or create any loophole in the campaign finance laws. They do not seek to promote their own re-election campaigns through the guise of ballot initiative activity. They seek simply to do what their constituents expect them to do, which is to lead on the issues they care about.

The outcome reached by the draft opinion is not what many of us would have envisioned when the Shays-Meehan legislation was debated and passed. I hope that the Commission will find some way to accommodate what seems to me, and what must seem to many of my colleagues, to have been a reasonable request.

Sincerely,

Juanita Millender-McDonald

Member of Congress

